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**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - NORTHERN DIVISION**

<p>In re: DOROTHY HANNAH HAMILBURG</p> <p style="text-align: right;">Debtor(s).</p>	<p>CASE NO.: 9:15-bk-10528-PC CHAPTER: 11</p> <p style="text-align: center;">NOTICE OF SALE OF ESTATE PROPERTY</p>
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<p>Sale Date: 06/07/2017</p>	<p>Time: 10:00 am</p>
<p>Location: Courtroom 201, 1415 State Street, Santa Barbara, California 93101</p>	

Type of Sale: Public Private **Last date to file objections:** 05/24/2017

Description of property to be sold:
Generally - 28926 Cliffside Drive, Malibu, CA 90265 and a certain island situated in the waters of Machias Bay, in the Town of Machiasport, in the County of Washington and State of Maine, commonly known as Bear Island and sometimes referred to as Bare Island
SEE MOTION FILED ON MAY 17, 2017 [DOCKET NO. ___] FOR SPECIFICS ON PROPERTY AND SALE

Terms and conditions of sale:
SEE MOTION FILED ON MAY 17, 2017 [DOCKET NO. ___] FOR SPECIFICS ON PROPERTY AND SALE

Proposed sale price: _____

Overbid procedure (if any):

See attached.

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

Contact person for potential bidders (include name, address, telephone, fax and/or email address):

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bgaschen@lwgflp.com

Date: 05/17/2017

Lobel Weiland Golden Friedman LLP
650 Town Center Drive, Suite 950
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Tel 714-966-1000 Fax 714-966-1002

1 **I. PROPOSED OVERBID PROCEDURE**

2 The Debtor proposes and requests approval of the following bidding procedures to
3 maximize the value of the estate’s interests in the Properties¹:

4 1. Only a qualified bidder (“Qualified Bidder”) may submit a bid. The person
5 identified in this Motion as the Lender and Buyer are deemed to be a Qualified Bidder.
6 The Debtor will determine whether any other prospective bidder is a Qualified Bidder. In
7 order to be considered a Qualified Bidder, a prospective bidder must, prior to the hearing
8 on the Motion, provide evidence satisfactory to the Debtor and the Court of the
9 prospective bidder’s financial ability to consummate the proposed transaction by no later
10 than the plan effective date. Any overbid must be submitted to the Debtor’s counsel at the
11 address set forth at the end of this paragraph two days prior to the hearing on the Motion,
12 or **June 5, 2017 by 5:00 p.m.** (the “Qualification Deadline”). However, to the extent a
13 bidder who does not meet the Qualification Deadline appears at the hearing on the Motion
14 and would otherwise have been considered a Qualified Bidder, such bidder, at the
15 discretion of the Debtor or the Bankruptcy Court, will be allowed to bid at the hearing. The
16 Debtor’s legal counsel for such purposes is identified as follows:

17 LOBEL WEILAND GOLDEN FRIEDMAN LLP
18 Attention: Jeffrey I. Golden/Beth E. Gaschen/Michael J. Weiland
19 650 Town Center Drive, Suite 950
20 Costa Mesa, California 92626

21 2. A qualified bid must, at a minimum, provide for the following payments: an
22 amount to pay allowed secured creditors in full, which the Debtor estimates to be
23 \$3,500,000, an amount to pay general unsecured claims (excluding Errico) in full, which
24 the Debtor estimates to be \$160,000, \$2,350,000 for the Professionals, either immediate
25 payment of Errico’s claim or proof of the financial ability to pay Errico’s claim at the
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28 ¹ Any and all capitalized terms not expressly defined herein shall have the meaning ascribed to them in the Motion.
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1 highest amount the Court could determine the claim to be as set forth in the pleadings
2 filed with the Court, and \$150,000 for the Break-Up Fee.

3 3. The Option Agreement may not be separately overbid as a condition to the
4 Loan Agreement is the Option Agreement being approved with the Buyer. Any
5 subsequent overbidder does not have to provide for an option agreement.

6 4. Additional consideration must be provided for the Debtor and the Estate as
7 determined by the Qualified Bidder.

8 5. In the event that there are competing bids received, a qualified bid will be
9 evaluated by the Debtor and the Debtor will recommend for the Court's approval the bid
10 which she has determined, in her sole discretion, is in the best interests of the Estate and
11 the Debtor (the "Successful Bid").

12 6. The Debtor may also decide which bid is the second best bid (the "Back-Up
13 Bid"). If the Successful Bidder fails to consummate the Successful Bid, then the Debtor
14 may pursue the Back-Up Bid without further order of the Court.

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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

650 Town Center Drive, Suite 950, Costa Mesa, California 92626

A true and correct copy of the foregoing document entitled (*specify*): **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner indicated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) **May 17, 2017**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) **May 17, 2017**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) **May 17, 2017**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

The Honorable Peter Carroll, 1415 State Street, Santa Barbara, CA 93101

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

May 17, 2017

Date

Kelly Adele

Printed Name

/s/ Kelly Adele

Signature

Electronic Mail Notice List

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